

Serial No.: 10/721,884

In making this rejection, the Examiner alleges that element 42 of Beardmore is the claimed decoupling element and that all features of the rejected claims are present.

The rejection is in error since Beardmore does not teach each and every element of claim 16, and this reference cannot anticipate this claim. Moreover, there is no basis to conclude obviousness either, and the rejection must be withdrawn and the application passed onto issuance.

In review, claim 16 defines the decoupling element as comprising the following:

- (1) A ring (2, 200) comprising a central core (1).
- (2) At least two opposite faces (21e, 21i; 212, 213), the faces (21i, 21e; 212, 213) having abrupt projections meshed together with complementary abrupt projections of opposing faces (31, 41; 312, 313) of the supports (3, 4; 3', 4'; 300, 400).
- (3) The presence of the core and faces allows meshing of the ring (2, 200) to create zones (K_1) at the roots of the projections (2e, 2i; 2'e, 2'i; 3e, 4i; 3'e, 4'i; 20e, 20i; 202, 203; 302, 403) in the central core, where the central core (1) substantially works in shear for transmission of said power from one support to the other.

In the rejection, the Examiner alleges that Beardmore teaches the supports and decoupling element in the form of the splined isolator ring 42

Serial No.: 10/721,884

(the decoupling element), the coarse splined hub 16 (one support), and the pump rotor 30 (the other support.)

The rejection also contends that the decoupling element is "a ring comprising a central core and two opposite faces where each face has abrupt protections with side flanks 44 meshed together with complimentary abrupt projections (see also 'coarse splined' as col. 2, line 2) with side flanks 34 on the opposing faces of the supports." Notably, there is no identification of the subcomponents of the decoupling element in terms of the central core, its opposing faces, and the abrupt projections.

The flaw in the rejection is the Examiner's failure to fully consider the claim language and the existence of the central core having the faces and abrupt projections from the faces. At best, Beardmore teaches a folded construction that has alternating projections. However, if one considers the alternating projections as the claimed abrupt projections, where is the central core with its two opposite faces? In this regard, the Examiner's attention is directed to the attached sheet showing a comparison between Beardmore (D1 in the comparison) and the invention. It is clear from this drawing that element 42 of Beardmore does not include any central core whatsoever. Beardmore's failure to teach this limitation means that the rejection cannot stand under 35 U.S.C. § 102(b).

Still referring to the attached comparison, even if the Examiner were to consider the uppermost zone of Beardmore as a "central core" with

Serial No.: 10/721,884

downward abrupt projections, claim 15 calls for the opposite faces of the central core to have abrupt projections. Even *assuming, arguendo*, that such an interpretation that considers the uppermost zone of Beardmore to be a central core, Beardmore's "central core" does not have abrupt projections on its opposite faces; only one face could be considered to have an abrupt projection. Therefore, this contorted interpretation of Beardmore as having a "central core" still cannot meet the limitations of claim 15.

In addition, it is argued that the uppermost zone of Beardmore cannot be considered a central core in any event. Rather, it is merely a series of spaced projections that make up the folded arrangement. It is clearly neither central to the element 42 nor a core. If the Examiner were to propose such an interpretation to support a rejection, the rejection could not stand since the interpretation of Beardmore in this regard would be an unreasonable one.

The central core as described in the application is critical in completing the work of shearing and transmission of power from one support to another with minimum compression, see pages 17-20 of the specification. Lacking a central core, the advantage attained by the invention is not anywhere to be found in Beardmore. In fact, Beardmore is really irrelevant to the invention in its failure to even remotely suggest the claimed decoupling element and its functional advantage over prior art decoupling elements.

Serial No.: 10/721,884

Since Beardmore does not teach the claimed central core with its opposing faces and abrupt projections, the rejection based on 35 U.S.C. § 102(b) must be withdrawn. This leaves the Examiner with the option to either withdraw the rejection and allow the application or formulate a rejection under 35 U.S.C. § 103(a). There is clearly no basis to assert that Beardmore somehow obviates the invention. In order to do so, the Examiner would have to have some reason to change the configuration of Beardmore to include a central core. There is absolutely no basis to do so, absent relying on Applicants' disclosure as a teaching template for such a change. If the Examiner makes a rejection under 35 U.S.C. § 103(a) based on Beardmore alone, the Examiner is requested to fully explain the factual basis supporting the contention of obviousness.

In summary, it is submitted that Beardmore does not teach each and every element of claim 15 and cannot anticipate this claim. Thus, the rejection of claim 15 under 35 U.S.C. § 102(b) as well as its dependent claims must be withdrawn. Further, there is no legitimate basis to contend that Beardmore renders claim 15 obvious under 35 U.S.C. § 103(a). Thus, claim 15 and its dependent claims are now in condition for allowance.

Lastly, since claim 15 is generic to the withdrawn claims, the restriction requirement should be withdrawn as applied to claims 3, 4, 7, 8, and 14 and these claims should be allowed with the rejected claims.

Serial No.: 10/721,884

Accordingly, the Examiner is respectfully requested to examine this application in light of this Request for Reconsideration and pass all claims onto issuance.

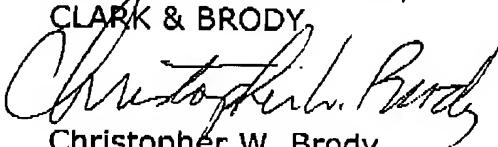
If the Examiner believes that an interview would be helpful in expediting the allowance of this application, the Examiner is requested to telephone the undersigned at 202-835-1753.

The above constitutes a complete response to all issues raised in the Office Action dated December 21, 2006.

Again, reconsideration and allowance of this application is respectfully requested.

Please charge any fee deficiency or credit any overpayment to Deposit Account No. 50-1088.

Respectfully submitted,
CLARK & BRODY



Christopher W. Brody
Registration No. 33,613

Customer No. 22902
1090 Vermont Ave. NW, Suite 250
Washington, DC 20005
Telephone: 202-835-1111
Facsimile: 202-835-1755

Docket No.: 11016-0024
Date: February 21, 2007

FEB 21 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

BEST AVAILABLE COPY

Henri KAMDEM et al.

Art Unit: 3679

Serial No.: 10/721,884

Examiner: Binda, G.

Filing Date: November 26, 2003

For: DECOUPLING ELEMENT OF DEFORMABLE MATERIAL IN A POWER
TRANSMISSION SYSTEM